THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5093 of 2007

Date: 13.03.2007

Between:

O.Subba Rao and others.

....Petitioners

and

The Sub-Registrar of Assurances & another.

....Respondents

O R D E R:

The petitioners state that they are the owners of the lands in Sy.Nos.986/3C, 986/1F and 986/2F of North Addanki Revenue Village and Mandal, Prakasam District. They intended to sell the lands to the third parties. They approached the first respondent with a request to furnish the basic register value for the said land, with a view to purchase the requisite stamps and pay the registration charges. Their grievance is that the first respondent refused to furnish information, on the ground that the property is recorded as Government land in the revenue records. They seek appropriate directions in this regard.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

Even assuming that the lands, referred to above, are recorded as Government lands, in the revenue records, that does not, by itself, empower the first respondent to refuse receipt or registration of the document. Such a facility is available, only where the lands are assigned by the Government to the third parties. If, in fact, the lands belong to the Government, the petitioners would be running a risk and the document that may be executed by them do not bind the Government. So far as the grievance about refusal to furnish the value of the property is concerned, the petitioners can mention the value of the property according to the consideration agreed to between the parties. It is for the first respondent to take a decision as to the adequacy or

otherwise. Mere absence of any entry in the basic value register, does not disable the parties from entering into transactions.

The writ petition is accordingly disposed of, directing the first respondent to receive the document that may be presented by the petitioners and process the same in accordance with the provisions of the Indian Stamp Act and the Registration Act. There shall be no order as to costs.

13.03.2007

kdl